

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**NORTHEASTERN UNIVERSITY and
JARG CORPORATION**

Plaintiffs,

v.

GOOGLE INC.

Defendant.

Civil Action No. 2:07-CV-486-CE

**DEFENDANT’S UNOPPOSED MOTION TO EXTEND TIME FOR SUBMITTING
PROPOSED DOCKET CONTROL ORDER AND DISCOVERY ORDER**

Defendant Google Inc. (“Defendant”) moves the Court for an unopposed extension of time to submit a proposed Docket Control Order and proposed Discovery Order to the Court.

I. BRIEF BACKGROUND

1. On July 29, 2008, the Court held a Status Conference. The parties appeared and all consented to trial before United States Magistrate Judge Everingham.

2. Jury selection for this matter is currently scheduled for April 4, 2011. The claim construction hearing is currently scheduled for October 6, 2010.

3. On June 26, 2008, the Court ordered (Dkt. No. 25) the parties to submit their proposed docket control order and discovery order to the Court on August 12, 2008. If the parties were unable to resolve their disagreements concerning these orders, the Court further ordered the parties to submit their competing proposals to the Court along with a summary of their disagreements by this same date.

II. RELIEF REQUESTED

Defendant requests a one (1) week extension of time, until and including August 19, 2008, for the parties to confer and (1) submit a proposed joint docket control order and discovery order to the Court or (2) submit competing versions of same if agreement cannot be reached. Jury selection is not scheduled until April 4, 2011, so there will be no adverse consequences to the Court's schedule by granting this brief extension. In addition, this motion is not opposed by Plaintiffs.

WHEREFORE, Defendant respectfully requests a one (1) week extension of time, until and including August 19, 2008, for the parties to confer and (1) submit a proposed joint docket control order and discovery order to the Court or (2) submit competing versions of same if agreement cannot be reached.

Dated: August 12, 2008

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Jason W. Wolff

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Attorneys for Defendant

GOOGLE INC.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Plaintiffs has been contacted regarding the relief requested in this motion and that Plaintiffs do not oppose the relief requested.

/s/ Jason W. Wolff

Jason W. Wolff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 12, 2008 on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Jason W. Wolff

Jason W. Wolff